

# DAILY DIGEST

Vol. 16, No. 173

September 8, 1997

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

---

## PUBLIC NOTICES

---

Released: September 8, 1997. NEW FCC FORM 345 AVAILABLE FOR USE.

Released: September 8, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG, NON-DOMINANT CARRIERS, SEPT. 5, 1997. Internet URL:

[https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/Non-Dominant/nd090597.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Non-Dominant/nd090597.pdf)

Report No: SPB-101. Released: September 8, 1997. PART 25 RULE CHANGES AND NEW FCC FORM 312 REQUIRING OMB APPROVAL SOON TO BE EFFECTIVE. Contact: Kathleen Campell at (202) 418-0753.

News Media Contact: Meribeth McCarrick (202) 418-0500. Internet URL:

[https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7197.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7197.txt)

Report No: 44071. Released: September 8, 1997. BROADCAST ACTIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac970908.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac970908.txt)

Report No: 24071. Released: September 8, 1997. BROADCAST APPLICATIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap970908.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970908.txt)

Report No: A-318. Released: September 8, 1997. NON-COMMERCIAL EDUCATIONAL FM BROADCAST APPLICATIONS ACCEPTED FOR FILING AND NOTIFICATION OF CUT-OFF DATE. Cut-off date: Oct. 10, 1997. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Radio\\_Cutoffs/pnmm7184.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm7184.txt)

Report No: B-200. Released: September 8, 1997. NON-COMMERCIAL EDUCATIONAL FM BROADCAST APPLICATIONS ACCEPTED FOR FILING AND NOTIFICATION OF CUT-OFF DATE. Cut-Off Date:

October 10, 1997. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Radio\\_Cutoffs/pnmm7185.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm7185.txt)

Report No: CL-97-81. Released: September 8, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL RADIO SERVICES INFORMATION. Internet URL:

[https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/pnw17218.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17218.txt)

Report No: CW-97-66. Released: September 8, 1997. PERSONAL COMMUNICATIONS SERVICE INFORMATION BROADBAND -- MAJOR ENVIRONMENTAL ACTION. Contact: Irene Login or Irene Griffith at (202) 418-1385. Internet URL:

[https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/pnw17217.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17217.txt)

Report No: CW-97-65. Released: September 8, 1997. PERSONAL COMMUNICATIONS SERVICE INFORMATION BROADBAND -- MAJOR ENVIRONMENTAL ACTION. Contact: Irene Login or Irene Griffith at (202) 418-1385. Internet URL:

[https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/pnw17216.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17216.txt)

---

## TEXTS

---

CORRECTION - THE FIRST ITEM UNDER TEXTS ON FRIDAY'S DIGEST SHOULD HAVE READ: DEFINING PRIMARY LINES. DEFINING PRIMARY LINES. Sought comment on whether the Commission should retain the definition of "single business line" set forth in the rules; asked for comment on definition of "primary residential line;" tentatively concluded that end user self-certification should be used to identify primary lines; tentatively concluded FCC should use audits to verify primary residential line counts; discussed rule enforcement, considered a mandatory uniform consumer disclosure statement and asked for comment on privacy issues. Comments due on Sept. 25 and replies on Oct. 9, 1997. Dkt No.: CC- 97-181. Action by the Commission. Adopted: September 3, 1997. by NPRM. (FCC No. 97-316). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Notices/1997/fcc97316.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Notices/1997/fcc97316.pdf)

TCI COMMUNICATIONS, INC. Dismissed complaints filed against the rates charged for cable programming service tier in several communities because the complaints were not timely filed. Action by Chief, CSB. Adopted: September 4, 1997. by Order. (DA No. 97-1924). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971924.txt>

FALCON CABLEVISION. Granted a complaint filed against the rates charged for cable programming services tier in the City of Calabasas, CA. Action by Chief, Cable Services Bureau. Adopted: September 3, 1997. by Order. (DA No. 97-1917). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971917.txt>

CITIZENS CENTURY CABLE TELEVISION VENTURE. Granted complaint filed against Citizens Century Cable Television Venture concerning its rate for their cable programming service tier in Le Verne, CA. Action by Chief, CSB. Adopted: September 3, 1997. by Order. (DA No. 97-1915). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971915.txt>

C-TEC CABLE SYSTEMS D/B/A/ COMVIDEO SYSTEMS, INC. Granted complaints filed against the rates charged for cable programming service tier in various communities in NJ. Action by Chief, CSB. Adopted: September 4, 1997. by Order. (DA No. 97-1923). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971923.txt>

C-TEC CABLE SYSTEMS D/B/A/ HOME LINK COMMUNICATIONS OF PRINCETON, LTD. Granted complaints filed against the rates charged for cable programming service tier in Princeton, NJ. Action by Chief, CSB. Adopted: September 4, 1997. by Order. (DA No. 97-1922). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971922.txt>

**ADDENDA: The following items, released September 5, 1997, did not appear in Digest No. 172:**

---

## PUBLIC NOTICES

---

Released: September 5, 1997. IT&E OVERSEAS, INC., FILES APPLICATION FOR REVIEW OF MICRONESIAN TELECOMMUNICATIONS CORPORATION. Comments due on Sept. 22 and replies due on Sept. 30, 1997. (DA No. 97-1926). Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1997/da971926.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da971926.txt)

Released: September 5, 1997. UPDATED FREQUENTLY ASKED QUESTIONS ON UNIVERSAL SERVICE FOR RURAL HEALTH CARE PROVIDERS. (DA No. 97-1932). Dkt No.: CC- 96-45. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1997/da971932.html](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da971932.html)

Released: September 5, 1997. AMERITECH'S PETITION DOCUMENTING PUBLIC INTEREST IN ESTABLISHING NEW SERVICE AND RATES ELEMENTS UNDER SECTION 69.4(F) OF THE COMMISSION RULES. Comments due on Sept. 15, 1997 and replies on Sept. 22, 1997. (DA No. 97-1925). Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1997/da971925.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da971925.txt)

Released: September 5, 1997. PLEADING CYCLE ESTABLISHED FOR COMMENTS ON BELLSOUTH'S AMENDMENTS TO CEI PLANS FOR GATEWAY SERVICES AND FOR SYNCHRONOUS PROTOCOL PROCESSING SERVICES AND COMMENTS ON REQUEST FOR INTERIM WAIVER. Comments due on Oct. 7, 1997 and replies on Oct. 22, 1997. (DA No. 97-1908).

Report No: 44070. Released: September 5, 1997. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac970905.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac970905.txt)

Report No: 24070. Released: September 5, 1997. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap970905.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970905.txt)

Report No: AUC-16-E (NO. 16). Released: September 5, 1997. COMMENT SOUGHT ON BALANCED BUDGET PROVISIONS CALLING FOR RESERVE PRICES OR MINIMUM OPENING BIDS IN FCC AUCTIONS. Comments due by Sept. 12, 1997. (DA No. 97-1933). Contact: Alice Elder at (202) 418-0660. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/da971933.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/da971933.txt)

Report No: AUC-16-C(NO. 16). Released: September 5, 1997. " FCC ANNOUNCES CHANGES TO AUCTION PROCEDURES FOR THE 800 MHZ SMR AUCTION (AUCTION NO. 16) . (DA No. 97-1834). Contact: Alice Elder or Brett Tarnutzer at (202) 418-0660. News Media Contact: Audrey Spivack (202) 418-0654." Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/da971934.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/da971934.txt)

-----

## TEXTS

-----

INVESTIGATION OF SPECIAL ACCESS TARIFFS OF LOCAL EXCHANGE CARRIERS. Ordered that Commission's decisions in the Investigation of Special Access Tariffs of Local Exchange Carriers are reversed to an extent and that every specified LEC file a refund. Ordered Western Union Telegraph Company may file an opposition to one or more refund reports, no later than 90 days following the release date of this Order. Dkt No.: CC- 85-166. Action by Commission. Adopted: September 4, 1997. by Order. (FCC No. 97-319).

DEFINING PRIMARY LINES ERRATUM TO NPRM (FCC-97-316) RELEASED SEPTEMBER 4. Dkt No.: CC- 97-181. Action by Deputy Chief, CCB. Adopted: September 5, 1997. by ERRATUM. (DA No. 97-1935). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Notices/1997/da971935.html](https://www.fcc.gov/Bureaus/Common_Carrier/Notices/1997/da971935.html)

PATIENTS PLUS, INC., V. LONG DISTANCE TELECOMMUNICATIONS SERVICE INC AND JUST ENTERPRISES, INC. ERRATUM TO MO&O ISSUED AUGUST 28. Action by Chief, Formal Complaint and Investigations Branch, Enforcement Division, CCB. Adopted: September 5, 1997. by Erratum. CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1997/er971831.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/er971831.txt)

BAINBRIDGE, GA. Effective October 20, allotted Channel 270A to Bainbridge, GA. Dkt No.: MM-96-253. Action by Chief, Allocations Branch. Adopted: August 27, 1997. by R&O. (DA No. 97-1888). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da971888.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971888.txt)

"LA FAYETTE, GA. Proposed amending FM table to delete allotment of Channel 298A at LaFayette, GA. Comments due on Oct. 27 and replies on Nov. 12, 1997. Dkt No.: MM-97-196. Action by Chief, Allocations Branch. Adopted: August 27, 1998. by NPRM. (DA No. 97-1889). MMB Internet URL: "[https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1997/da971889.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da971889.txt)

GOLDSMITH, TX. Sought comment on rule making filed by Wild West Broadcasting Company, Inc. for allotment of Channel 234A to Goldsmith, TX. Comments due on Oct. 27 and replies on Nov. 12, 1997. Dkt No.: MM- 97-197. Action by Chief, Allocations Branch. Adopted: August 27, 1997. by NPRM. (DA No. 97-1900). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1997/da971900.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da971900.txt)

HAIKU, HAWAII. Sought comment on petition for rulemaking by Native Hawaiian Broadcasting for the allotment of Channel 293C to Haiku, Hawaii. Comments due on Oct. 27 and replies on Nov. 12, 1997. Dkt No.: MM- 97-195. Action by Chief, Allocations Branch. Adopted: August 27, 1997. by NPRM. (DA No. 97-1890). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1997/da971890.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da971890.txt)

HART-HANKS COMMUNICATIONS, INC. AND E.W. SCRIPPS COMPANY. Granted a request to transfer control of stations KENS-TV and KENS(AM), San Antonio, TX from Hart-Hanks Comm., Inc. to E.W. Scripps Co. and granted waiver of one-to-a-market rule. Action by Chief, MMB. Adopted: September 5, 1997. by MO&O. (DA No. 97-1913). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da971913.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971913.txt)

LEVAN, OAKLEY, UTAH AND GREEN RIVER WY. Effective October 20, allotted Channel 268C1 to Oakley, Utah; granted substitution of Channel 221C for Channel 268C at Green River WY; and granted substitution of Channel 256A for Channel 268A at Levan, Utah; filing window October 20 - November 20. Dkt No.: MM- 96-230. Action by Chief, Allocations Branch. Adopted: August 27, 1997. by R&O. (DA No. 97-1885). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da971885.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971885.txt)

GEORGETOWN AND GARDEN CITY, SC. Effective October 20, reallocated 249C1 from Georgetown to Garden City, SC modified license of WWXM-FM accordingly. Dkt No.: MM-96-196. Action by Chief, Allocations Branch. Adopted: August 27, 1997. by R&O. (DA No. 97-1887). MMB Contact: Sharon P. McDonald at (202) 418-2180. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1997/da971887.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971887.txt)

**ADDENDA: The following items, released September 4, 1997, did not appear in Digest No. 171:**

-----

## PUBLIC NOTICES

-----

Report No: SPB-99. Released: September 4, 1997. EXTENSION OF CUT-OFF DATES FOR APPLICATIONS, LETTERS OF INTENT, AND AMENDMENTS TO APPLICATIONS IN THE 2GHZ AND 36-51.4 GHZ FREQUENCY BANDS. Filing deadline: Sept. 26, 1997. Contact: Virginal Marshall at (202) 418-0778 or Kathleen Campbell at (202) 418-0753. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7189.html](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7189.html)